

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

DECISION AND ORDER

00-CR-6153L

v.

SHERMAN R. GREEN,


Defendant.

Pursuant to a guilty plea, defendant was sentenced by this Court, on November 13, 2003, principally to a term of imprisonment of 144 months in the custody of the Bureau of Prisons. The Court also imposed a fine of \$1,000 and a 10-year term of supervised release.

On November 12, 2004, the Government filed a motion pursuant to FED. R. CRIM. P. 35(b) for a reduction of defendant's sentence based on his cooperation, both completed and anticipated. Thereafter, by letter dated September 29, 2006, filed under seal, the Government requested the Court grant its motion and reduce Green's sentence to a term of 96 months imprisonment. The Court has reviewed the Government's motion, its supporting letter of September 29, 2006, as well as a letter from Green's defense counsel dated October 19, 2006, and I am familiar with all the other proceedings in the case.

Based on the above, I hereby grant the Government's motion to reduce defendant Sherman R. Green's sentence to a term of 96 months imprisonment. All other terms and conditions of the original Judgment and Commitment are to remain the same. The prior Judgment and Commitment entered November 19, 2003, is hereby vacated, and I direct the United States Probation Department to prepare a new Judgment and Commitment, forthwith, for signing and filing.

IT IS SO ORDERED.



DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
October 26, 2006.